ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, State Bar number, and address):*
Deepak Moorjani
[redacted]

FAX NO. *(Optional):*
E-MAIL ADDRESS:
ATTORNEY FOR *(Name):* In Pro Per

FOR COURT USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF
STREET ADDRESS: 330 West Broadway
MAILING ADDRESS: 330 West Broadway
CITY AND ZIP CODE: San Diego, CA 92101-3827
BRANCH NAME: Central

PLAINTIFF/PETITIONER: Deepak Moorjani
DEFENDANT/RESPONDENT: Seema Moorjani, Sunil Moorjani

CASE MANAGEMENT STATEMENT

CASE NUMBER: 37-2021-00033119-CU-OR-CTL

(Check one): [x] **UNLIMITED CASE** (Amount demanded exceeds $25,000) [ ] **LIMITED CASE** (Amount demanded is $25,000 or less)

A **CASE MANAGEMENT CONFERENCE** is scheduled as follows:

Date: January 14, 2022 Time: 11:00am Dept.: C-65 Div.: Civil Room:

Address of court *(if different from the address above):*

[x] **Notice of Intent to Appear by Telephone, by *(name):*** Deepak Moorjani

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

1. **Party or parties** *(answer one):*
   a. [x] This statement is submitted by party *(name):* Plaintiff Deepak Moorjani
   b. [ ] This statement is submitted **jointly** by parties *(names):*
2. **Complaint and cross-complaint** *(to be answered by plaintiffs and cross-complainants only)*
   a. The complaint was filed on *(date):* August 04, 2021
   b. [ ] The cross-complaint, if any, was filed on *(date):*
3. **Service** *(to be answered by plaintiffs and cross-complainants only)*
   a. [x] All parties named in the complaint and cross-complaint have been served, have appeared, or have been dismissed.
   b. [ ] The following parties named in the complaint or cross-complaint
      (1) [ ] have not been served *(specify names and explain why not):*
      (2) [ ] have been served but have not appeared and have not been dismissed *(specify names):*
      (3) [ ] have had a default entered against them *(specify names):*
   c. [ ] The following additional parties may be added *(specify names, nature of involvement in case, and date by which they may be served):*
4. **Description of case**
   a. Type of case in [x] complaint [ ] cross-complaint *(Describe, including causes of action):*
   This is an elder abuse case with four causes of action: (i) elder abuse, (ii) elder abuse - financial, (iii) elder abuse - adverse possession, and (iv) elder abuse - constructive trust. Zubeida Moorjani is an 85 year-old vulnerable adult with dementia.

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4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*
Since the January 08, 2019 suicide red flag, Plaintiff has sought to move his mother from her house in Ohio to her house in San Diego. In April 2021, Zubeida Moorjani fractured her pelvis, and she spent five (5) days in the hospital. Plaintiff requests the Court order the Defendants to repay borrowed funds to Zubeida Moorjani, impose a Constructive Trust on real property, pay restitutionary disgorgement of profits, and pay compensatory damages pursuant to WIC §15657.5(a).

☐ *(If more space is needed, check this box and attach a page designated as Attachment 4b.)*

5. **Jury or nonjury trial**

The party or parties request ☒ a jury trial ☐ a nonjury trial. *(If more than one party, provide the name of each party requesting a jury trial):*

6. **Trial date**

a. ☐ The trial has been set for *(date):*

b. ☒ No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain):*

c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability):*
Plaintiff is scheduled to ride in the AIDS/LifeCycle 2022 from June 5 to June 11.

7. **Estimated length of trial**

The party or parties estimate that the trial will take *(check one):*

a. ☒ days *(specify number):* 1-2 days

b. ☐ hours (short causes) *(specify):*

8. **Trial representation** *(to be answered for each party)*

The party or parties will be represented at trial ☐ by the attorney or party listed in the caption ☒ by the following:

a. Attorney: TBD

b. Firm:

c. Address:

d. Telephone number:

e. E-mail address:

f. Fax number:

g. Party represented:

☐ Additional representation is described in Attachment 8.

9. **Preference**

☒ This case is entitled to preference *(specify code section):* California Code of Civil Procedure Section 36(a)

10. **Alternative dispute resolution (ADR)**

a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 of the California Rules of Court for information about the processes available through the court and community programs in this case.

(1) For parties represented by counsel: Counsel ☐ has ☐ has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.

(2) For self-represented parties: Party ☒ has ☐ has not reviewed the ADR information package identified in rule 3.221.

b. **Referral to judicial arbitration or civil action mediation** (if available).

(1) ☐ This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.

(2) ☐ Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.

(3) ☒ This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. *(specify exemption):*
Amount of controversy.

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10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in *(check all that apply and provide the specified information):*

	The party or parties completing this form **are willing** to participate in the following ADR processes *(check all that apply):*	If the party or parties completing this form in the case **have agreed** to participate in or have already completed an ADR process or processes, indicate the status of the processes *(attach a copy of the parties' ADR stipulation):*
(1) Mediation	☒	☐ Mediation session not yet scheduled ☐ Mediation session scheduled for (*date*)*:* ☐ Agreed to complete mediation by (*date*)*:* ☐ Mediation completed on (*date*)*:*
(2) Settlement conference	☐	☐ Settlement conference not yet scheduled ☐ Settlement conference scheduled for (*date*)*:* ☐ Agreed to complete settlement conference by (*date*)*:* ☐ Settlement conference completed on (*date*)*:*
(3) Neutral evaluation	☐	☐ Neutral evaluation not yet scheduled ☐ Neutral evaluation scheduled for (*date*)*:* ☐ Agreed to complete neutral evaluation by (*date*)*:* ☐ Neutral evaluation completed on (*date*)*:*
(4) Nonbinding judicial arbitration	☐	☐ Judicial arbitration not yet scheduled ☐ Judicial arbitration scheduled for (*date*)*:* ☐ Agreed to complete judicial arbitration by (*date*)*:* ☐ Judicial arbitration completed on (*date*)*:*
(5) Binding private arbitration	☐	☐ Private arbitration not yet scheduled ☐ Private arbitration scheduled for (*date*)*:* ☐ Agreed to complete private arbitration by (*date*)*:* ☐ Private arbitration completed on (*date*)*:*
(6) Other (*specify*):	☐	☐ ADR session not yet scheduled ☐ ADR session scheduled for (*date*)*:* ☐ Agreed to complete ADR session by (*date*)*:* ☐ ADR completed on (*date*)*:*

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11. **Insurance**

a. ☐ Insurance carrier, if any, for party filing this statement *(name):*

b. Reservation of rights: ☐ Yes ☐ No

c. ☐ Coverage issues will significantly affect resolution of this case *(explain):*

12. **Jurisdiction**

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

☐ Bankruptcy ☐ Other *(specify):*

Status:

13. **Related cases, consolidation, and coordination**

a. ☐ There are companion, underlying, or related cases.

(1) Name of case:

(2) Name of court:

(3) Case number:

(4) Status:

☐ Additional cases are described in Attachment 13a.

b. ☐ A motion to ☐ consolidate ☐ coordinate will be filed by *(name party):*

14. **Bifurcation**

☐ The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action *(specify moving party, type of motion, and reasons):*

15. **Other motions**

☒ The party or parties expect to file the following motions before trial *(specify moving party, type of motion, and issues):* Plaintiff has filed a Motion to Disqualify John D. Alessio et al. based on impermissible conflict of interest and possession of confidential information. The Motion Hearing Date is May 13, 2022 at 8:30am. Further, Plaintiff plans to file a Motion for Preference based on California Code of Civil Procedure Section 36(a).

16. **Discovery**

a. ☐ The party or parties have completed all discovery.

b. ☒ The following discovery will be completed by the date specified *(describe all anticipated discovery):*

Party	Description	Date
Plaintiff	Written discovery to Brigid Heid	per code
Plaintiff	Written discovery to John Alessio	per code
Plaintiff	Written discovery to Seema Moorjani	per code
Plaintiff	Written discovery to Sunil Moorjani	per code

c. ☐ The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated *(specify):*

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17. **Economic litigation**

a. ☐ This is a limited civil case (i.e., the amount demanded is $25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.

b. ☐ This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed *(if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):*

18. **Other issues**

☒ The party or parties request that the following additional matters be considered or determined at the case management conference *(specify):*
On May 25, 2021, Plaintiff contacted Adult Protective Services of San Diego. On November 19, 2021, Plaintiff provided APS with a copy of the First Amended Complaint. On December 08, 2021, Plaintiff notified APS of the Motion to Disqualify John Alessio et al., and Plaintiff requested an investigation of John Alessio (Bar No. 174900) for elder abuse.

19. **Meet and confer**

a. ☒ The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court *(if not, explain):*

b. ☒ After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following *(specify):*
The Defendants rejected the Plaintiff's September 26, 2021 Offer to Mediate, and the parties stipulated that the Plaintiff file a First Amended Complaint.

20. Total number of pages attached *(if any):* 0

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: December 18, 2021

Deepak Moorjani
(TYPE OR PRINT NAME)

▶ DM
(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

▶
(SIGNATURE OF PARTY OR ATTORNEY)

☐ Additional signatures are attached.

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